

CHAPTER II

LITERATURE REVIEW

A. Theoretical Framework

1. Zakat

a. Definition of Zakat

Humans, especially Muslims are obliged to fulfill Allah's command on earth, including obligation of zakat. Zakat is one pillar of Islam that is a revelation from Allah SWT to Prophet Muhammad SAW for his people. Zakat is a worship associated with an agreed upon property (*maliyyah ijma'iyah*) which has a strategic position both from the teachings of Islam as well as from the side of welfare development of the ummah (Nawawi, 2010).

The zakat language is *an-numu wa az-ziyadah* which means growing and increasing (al-Zuhaili, 1989; Sabiq, 2000). In Arabic vocabulary, zakat comes from the word *zakaa - yazkuu - zaka'an*, which has a meaning of sacred. The word zakat is derived from the word *az-zakaa'* which has three meanings, namely *an-namaa'* which means developing, *ath-thaharah* meaning sanctification and *al-barakah* which means increase. According to Karzon in his book entitled *Tazkiyatun Nafs*, zakat formed from two nouns which is a mix between the issued and deeds. In particular means the property paid for zakat. It means purification. Named zakat because there is hope for growth (blessing), purification of the soul and develop well. So the word "zakat" has a meaning return to blessing, or purifying the soul,

cleansing it of the miserly nature. "*Az-zakah*" comes from the meaning of "addition to goodness" and goodness will not grow except by leaving evilness. As the plant will not grow until the pest is destroyed. Zakat here has two meanings and aims at once, namely to purify the wealth and purify the soul (Karzon, 2015). Zakat as a means to purify the human soul and also their wealth is based on Quran¹ 9:103 and 22:41. The zakat payer is called *muzzaki*, while the zakat receiver is called *mustahiq*. According to al-Nawawi (1995), zakat to safeguard their honor and cleanse them of impurity.

Kusuma (2014) explains that in the era of modern science, Islamic Economics is built on the light of a scientific approach. The application of scientific principles with Islamic Economy must provide standardization of zakat functions in the society to become observable objects. Compared with other pillars of Islam, zakat is a value that conforms to scientific principles. This is because zakat has a characteristic in terms of scientific ideas and has measurable statistics, as Kusuma outlines (2014) in a table below:

¹ Surah al-Tawbah (9):103. Fakh al-din al-Razi explains that one of the meanings of the statement "*khudh min amwalihim sadaqata tutahhituhum biha*" mentioned in that verse that "issuing zakat, as purifier, to their property." He then proceeded to "zakat referred to as purifying due to the fact that this is a human waste. Therefore when the zakat is issued, the remainder of the waste is lost. Therefore its influence concerns purification." See his work on the *tafsir al-Kabir*, in the explanation of verse 103 of Surah al-Tawbah.

	<i>Shahadah</i>	<i>Salah</i>	<i>Saum</i>	<i>Zakat</i>	<i>Hajj</i>
Spiritual	√	√	√	√	√
Individual	√	√	√	√	√
Social	-	-	-	√	-
Economy	-	-	-	√	-
Quantifiable	-	-	-	√	-

Source: Kusuma, 2014.

Kusuma (2014) states that zakat is assumed to be unique character in the socio-economic structure of an Islamic state or Muslim society as its payments not only meet the economic need but also become religious obligations and purification facilities based on Quran 9:103. The obligation of zakat has several dimensions not only in terms of religiosity of personal and social interest, but also on economic development and showing real wealth in the view of Islam. This is because zakat not only pays attention to the cleanliness of the soul and personal property of a person, but also cares for the poor and the needy and anyone eligible for zakat intended directly to balance the economic condition of society. In the end, it can be said that there is a direct correlation between the development of Islamic economics with personal or community religiosity. The higher to paid zakat indicates the growth as well as the high level of religiosity of the community or country. Zakat as the norm of economic activity and through its impact on economic variables can determine which direction the economy should move. Zakat must be awakened as it describes the economic order that seeks to build and express the aspirations of society.

The use of zakat can be grouped into two main activities, namely consumptive and productive activities. Consumptive activity aims to solve problems related to daily needs and immediately used for consumption, such as eating, educational activities, health and social aspects (religion, humanity, etc.). Meanwhile, productive activities are meant for productive enterprises. Recipients of productive zakat are required to own micro enterprises. The utilization of zakat funds for income-generating activities, such as setting up small and home industries, providing the necessary training and other empowerment programs for the poor, will improve their welfare and reduce poverty. Zakat joins the development and empowerment program, the poor will have physical and financial capital that allows the mustahiq to have the opportunity to become rich and become new muzaki. It is expected that these mustahiq will have the ability to help themselves. The positive impact of productive zakat is expected to be felt in the long term. Through the significant growth of zakat fund raising, it is expected that some of the zakat fund distribution will now change from charitable purposes to social empowerment and economic development (Nurzaman, 2015).

b. The Law of Zakat

Zakat is one of the five pillars of Islam. Zakat is obligatory for Muslim. Zakat has been mentioned in the Quran comparable to the prayers of 82 verses and 32 verses mentioned simultaneously with the command to perform the prayers salah, it shows that zakat has an important position in Islam, including as follows:

"Who believe in the Unseen, are steadfast in prayer and spend out of what We have provided for them," (Quran Surah Al-Baqarah [02]:3)

"And establish prayer, give zakat and bow down your heads with those who bow down (in worship)." (Quran Surah Al-Baqarah [02]:43)

According to Wibisono (2015), with his most important position in the teaching of Islam as one of the formal rituals (*ibadah mahdhah*), zakat (*zakah*) has complete operational provisions covering the types of property exposed to zakat (*mal al-zakah*), tariff of zakat (*miqdar al-zakah*), the minimum limit of zakat property (*nishab*), the time limit of zakat implementation (*haul*) to the target of zakat learning (*masharif al-zakah*).

Zakat is an act of getting closer to Allah and actions that show obedience to Allah. Allah has ordered Muslims to carry out the payment of zakat which is divided into two types namely zakat fitrah (soul) which is the obligation for Muslims by giving 2.7 kilograms or 3.5 liters of staple food in the region concerned in the holy month of Ramadan before Eid al-Fitr and zakat mal (wealth) is obligatory for every Muslim who is baligh and intelligent possessing property (*milkuh tam*) and which is obtained in a lawful way (*halal*) beyond the needs of those who have reached above *nisab* with a period of one year (*haul*) as well as a certain percentage of the profits of agriculture, mineral production, trade goods and so forth to disburse zakat from 2.5% annually for the poor and certain groups in accordance with Islamic rules as the responsibility for social and economic welfare (Al-Qardhawi, 2011).

Zakat rates vary from 2.5% up to 20% depending on the type of object to give zakat, or how to get it (Kahf, 1987). Prophet Muhammad (SAW) determined this tariff of 2.5% for gold and silver, 5% for agricultural products irrigated by water wheels or by carrying water on the backs of animals, 10% for irrigated agriculture with rain or river water and 20% for the discovery of treasures and minerals. Rates of farm animals are given according to schedule, but generally 2.5%. Different rates of zakat rates based on Al-Qardhawi (1988) are shown in the following table:

No	Industry	Level of Zakat Rates
1	Agricultural Products – irrigation	5 %
	Agricultural Products - rainwater, rivers	10 %
2	Livestock - eat in free pastures	2.5 %
	Livestock - eat at the farm	10 %
3	Mining and Treasures	20 %
4	Circulation/Trade and Industry Circulation	2.5 %
5	Monetary Assets	2.5 %
6	Finance and Shares	2.5 %
7	Fishery	10 %
8	Forestry	10 %
9	Net assets/wealth in trade and industry (excluding circulation/circulation of capital)	10 %
10	Labor and income/professional income	2.5 %

Source: Al-Qardhawi, 1988.

Ibn al-Qayyim al Jawziyyah (1955) described the categories of recipients of zakat which have been mentioned explicitly in the Quran, as follows:

"The zakat is for the poor, the needy, the amil of zakat, for those whose hearts have been recently reconciled to Truth (mu'alaf), to (free) the slave, to (free) the debtors, for the way of Allah and for the wayfarer, as an obligation from Allah. Allah is Knowing and Wisdom." (Quran Surah At-Taubah [09]:60)

Ibn Qayyim al-Jawziyyah (1955) stated that the eight categories of recipients of zakat which have been determined according to the Quran can be divided into two categories. First, those who receive the zakat will receive according to their needs, they are the poor (*fuqara*), the needy (*masakin*), the prisoners or the slaves (*fi'l riqab*) and the wayfarer (*ibn al-sabil*). Secondly, those who receive zakat because of their need, they are the administrators of zakat (*amilun*), the new convert to Islam (*muallafah al-qulub*), the debtors for a good purpose (*al-gharimum*) and the person who struggle in the way of Allah (*fi sabil Allah*). The Quran mentions the poor and the needy as the first of the eight groups on the list of zakat recipients (*mustahiq*) and as the priority for receiving zakat. This shows that overcoming the problem of poverty is the main goal of zakat (Qardhawi, 1997).

A state already has formal laws and regulations on zakat and has made zakat as an obligation to be fulfilled by its citizens. In this context, Beik (2013) mentions 7 characteristics of the country included in this comprehensive model:

- 1) Have special laws and regulations on zakat.
- 2) Zakat has become a compulsory instrument in the view of state law.
- 3) The standardization of collection, distribution, reporting, accountability and zakat management system as a whole.
- 4) The provisions on zakat property assets that develop in all sectors of the national economy.
- 5) There is an institutional structure of zakat that is efficient and integrated.

- 6) There is zakat instrument integration in fiscal policy and economic system as a whole.
- 7) Implementing good amil governance as an effort to strengthen zakat governance.

How the criteria and measures related to the standardization of collection, distribution, reporting, accountability and overall zakat management systems are all governed by clear legal laws, in accordance with the legal system applicable in a country. This comprehensive regulatory framework can lead to improve the quality of existing zakat management governance. This governance is a factor that will determine the quality of zakat management in a country. Good governance is believed to increase the amount of zakat fund accumulation while increasing the distribution of zakat (Beik and Arsyianti, 2016).

2. Maqasid al-Sharia

a. Definition of Maqasid al-Sharia

In the root of the language, *maqashid* is derived from *qashada*, *yaqshidu*, *qashdan*, *qashidun*, which means strong urge, cling and deliberate (Lihasanah, 2008). However, it can also mean deliberate or intentional (*qashada ilaihi*) (Yunus, 1990). Ibn Manzur explains "*Wa'alallahi Qashdussabili*", which means, Allah is the one who explained the straight path. The word *asy-syari'ah* comes from the word *syara'a as-syai* means to explain something, or taken from *asy-syar'ah* and *asy-syari'ah* with the meaning of an uninterrupted water source place and people

coming there do not require tool (Al-Qardhawi, 2007). Sometimes it can also mean water sources, where people are busy taking water. In addition, *asy-syari'ah* is derived from the root *syara'a*, *yasri'u*, *syar'an* which means starting the implementation of a work, thus *asy-syari'ah* has a meaning of work that is just beginning to be implemented. *Syara'a* also means explaining and guiding the way. *Syar'a lahum syar'an* means they have shown the way to them or mean sanna which means showing the way or the rules. Thus, *syari'ah* in language shows to three meanings, namely the source of drinking water, the straight and bright path and also the beginning of the work (Umar, 2007).

Sharia is a law established by Allah for His servants concerning religious affairs or laws established and commanded by God either in the form of worship (shaum, salah, pilgrimage, zakat and all good deeds) or muamalah that relate with activities of human life (selling, buying, marriage and others) (Al-Qardhawi, 2007).

"Then we made you on a Shariah, the rule of religious affairs." (Quran Surah Al-Jatsiyah [45]:18)

According to Ali and Kishwar (2014), the language of maqasid is defined as the goal or objective, while al-Sharia is defined as the law revealed by Allah SWT to Muhammad SAW which involves all aspects of life such as the family institution, finance or can be said the way of life of a Muslim.

By knowing the meaning of *maqashid* and *asy-syari'ah* in language, it helps to explain the sense contained in terms, ie the purposes and secrets placed by God and contained in every law for the purpose of fulfilling the benefit of ummah. Or the purpose of Allah gives the Sharia, where according to al-Syatibi the purpose

of the *maqashid asy-syari'ah* is to manifest the *maslahah* of humankind in this world and the hereafter (Al-Syatibi, 2003).

Imam Shatibi in Khan and Ghifari (1992) describes maqasid al-Sharia is the purpose of Sharia which can be defined as follows:

- 1) Maqasid al-Sharia consists of benefits/welfare/profit from shari'ah itself.
- 2) Maqasid al-Sharia aims to achieve goodness, prosperity, benefit and to prevent evilness, damage and harm to human being. It also called as *Masalih al-'Ibad*.

According to as-Syatibi in Khan and Ghifari (1992), maqasid al-Sharia is the basic purpose behind the application of Islamic law. Ahmad Raisuny writes that maqasid al-Sharia is the ultimate goal of the application of Islamic law. This is the welfare of humankind (Raisuny, 1999). Muslim scholars define maqasid al-Sharia as the ultimate goal of Islamic law to protect and safeguard human dignity. This is universal goal of Islamic law (Sholihin, 2014).

In the Islamic concept, *maslahah* has the most important position and function for life and religion. Ibn Qayyim al-Jawziyah writes that Islamic law and foundation are based on the wisdom and welfare of humankind in the present and future. The values of Islamic law are justice, mercy, wisdom and piety (Auda, 2007).

"Verily, Allah has commanded to do justice and to do good, to give help to the relatives and He forbid (doing) evil and enmity. He instructs you, that you may receive admonition." (Quran Surah An-Nahl [16]:90)

According to Imam Shatibi in Khan and Ghifari (1992), *maslahah* is welfare and strength, both achieved through the basic elements and purpose of human life in this world. All provisions that have power to aims to protecting the five elements can be said to have *maslahah* for human being. Imam Shatibi uses a *maslahah* approach (welfare benefit) to describe the purpose of Sharia. Human is commanded in Sharia to reach *maslahah*. Economic activities aim to achieve *maslahah* (welfare) as defined by Sharia must be achieved as a religious obligation to gain a good life in this world and the hereafter. Similarly, all activities that have a goal to achieve *maslahah* for human life is called a need that must be met. Meeting needs rather than gratifying desires is the goal of economic activity and to fulfill this purpose is a religious obligation.

Attia (2008) adds that maqasid on a wider humanitarian level is to achieve world peace based on justice requiring collective security cooperation among members of the international community.

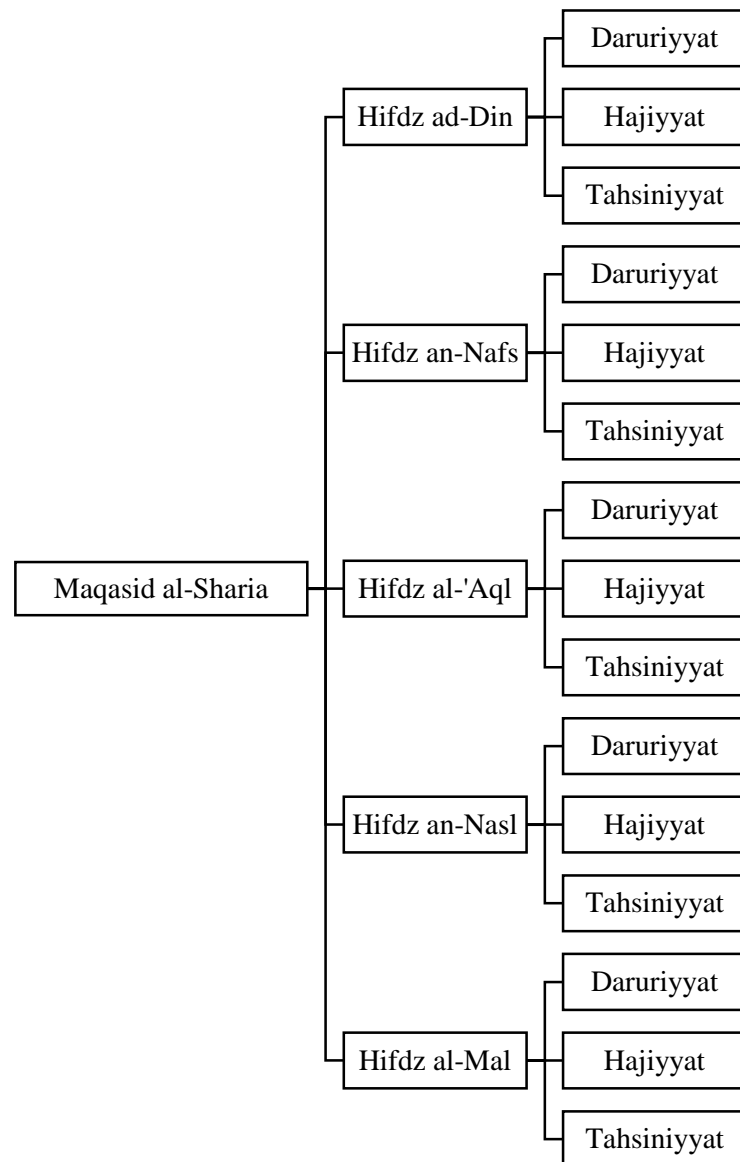
b. Five Essential Elements of Maqasid al-Sharia

Muslim scholars since the days of the *sahabah* have realized the wider purpose of the maqasid al-Sharia that is to reach *maslahah* and prevent *mafsadah*. Theory of maqasid was not developed until the third century after the Hijrah, which is the 9th century (Al-Raysuni, 1992). The concept of *maslahah* and *mafsadah* was conceptualized into the seminal theory by al-Juwayni (d. 1085 A.D). Al Juwayni limits the theoretical framework to legal issues such as methods of determining

Sharia principles and rules (ed., Abdul Azim, 1979). According to Al Juwayni, Sharia is revealed to attain the five categories of *maslahah* mentioned below: the needs (*Daruriyyat*), the needs of society (*al-Hajaat al-'Aammah*), moral and behavioral ethics (*al-Makrumat*), recommended good actions (*al-Mandubat*) and "something that is rare in Sharia and cannot be attributed to a particular reason", it is difficult to interpret and its purpose is unclear. The theory of Al-Juwayni had been perfected by his student, Al-Ghazali (d.1111 A.D). According to Imam Al-Ghazali (1970) in the book *al-Mustashfa min ilm al-ushul* that the law of Sharia has a purpose concerning the protection of five important things for the *maslahah* in life, namely faith (*ad-din*), life (*an-nafs*), intellectual (*al-aql*), posterity (*an-nasl*) and wealth (*al-mal*). Five important things are the foundation in the science of maqasid al-Sharia and called by the term *ad-dharuriyat al-khamsah*. If this *ad-dharuriyat al-khamsah* is not fulfilled, then it is feared there will be inequality and damage to human life. Al-Ghazali categorizes *maslahah* into three categories: basic and important needs (*daruriyyat*), supporters or complement (*hajiyyat*) and luxury (*tahsiniyyat*). According to Al-Ghazali, basic needs are the necessary elements of a nation's system which if not met will cause chaos. This is basic elements in achieving people's welfare. The inability to fulfill these five essential elements can put a person in poverty. However, the concept of basic needs and poverty is a dynamic and varied concept created by humans, as well as following the progress of development on every country in the world. Complementary is the elements that facilitate human life. Meanwhile, luxury is an assessment related to moral and ethical behavior. Basic needs are seen as an absolute requirement for the survival

and spiritual well-being of individuals (Kusuma, 2014). These five important elements are given priority according to their needs. This perfection corresponds to the purpose of the hereafter. In other words, each worldly purpose is also intended to help the sole purpose of the religion in the hereafter (Nyazee, 2000). Imam Al Ghazali has placed great importance on the preservation of the five elements of *maqasid al-Sharia*, namely faith, human life, intellectual, posterity and wealth. Imam Abu Ishaq al-Shatibi (790/1388), writing after three centuries after al-Ghazali, Imam al-Shatibi agreed with a list of five main elements of *maqasid al-Sharia* presented by Al Ghazali (Chapra, 2007). Al Raysuni (1992) argues that the five main elements of *maqasid al-Sharia* in general have also been endorsed by other scholars. According to Imam Syatibi (1985) in the book *al-Muwafaqot* that all humankind and all religions have agreed on the purpose of Sharia law to protect *ad-dharuriyat al-khamsah* or five essential basic needs which include protection of faith, life, intellectual, posterity and wealth.

Imam Shatibi in Khan and Ghifari (1992) describes *maqasid al-Sharia* can be classified into three groups namely primary needs (*daruriyyah*), secondary needs (*hajiyyat*) and tertiary needs (*tahsiniyyat*). Imam Shatibi states that the Sharia has wisdom or the purpose of prospering human beings in the life of the world and in the hereafter and to achieve this goal people must follow the Sharia that produces benefits/welfare to them and prevents evilness and criminality that harm society. Sharia provisions aimed at protecting the basic purpose for the formation of prosperity in this world and the hereafter, if ignored the coherence and order cannot be established will be *fasad* (chaos and disturbance).



Source: Shidiq, 2011, edited by author.

FIGURE 2.1.
Theoretical Framework of Maqasid al-Sharia

Imam Shatibi in Khan and Ghifari (1992), these five protections are basic needs or *daruriyyah* for the formation of prosperity in this world and the hereafter.

Protection of the above-mentioned elements through two important elements:

- 1) Required to maintain the existence of the elements mentioned above, namely *din, nafs, 'aql, nasl* and *mal*.
- 2) Required to protect these elements from the destruction of these elements.

The five objectives of Islamic law proposed by Abu Ishaq al-Shatibi above often referred to *al-maqasid al-khamsah* or *al-maqasid as-syariah* (Mustofa and Wahid, 2009).

Az-Zuhaili (1986) in the book of *Ushul Fiqh al-Islami*, his work declares *ad-dharuriyat al-khamsah* which includes the protection of faith, life, intellectual, posterity and wealth associated with the life of this world and the hereafter for humankind. If not met, then there will be much damage in the world and get the wrath of Allah in the afterlife. So, it becomes the most powerful *maslahat*.

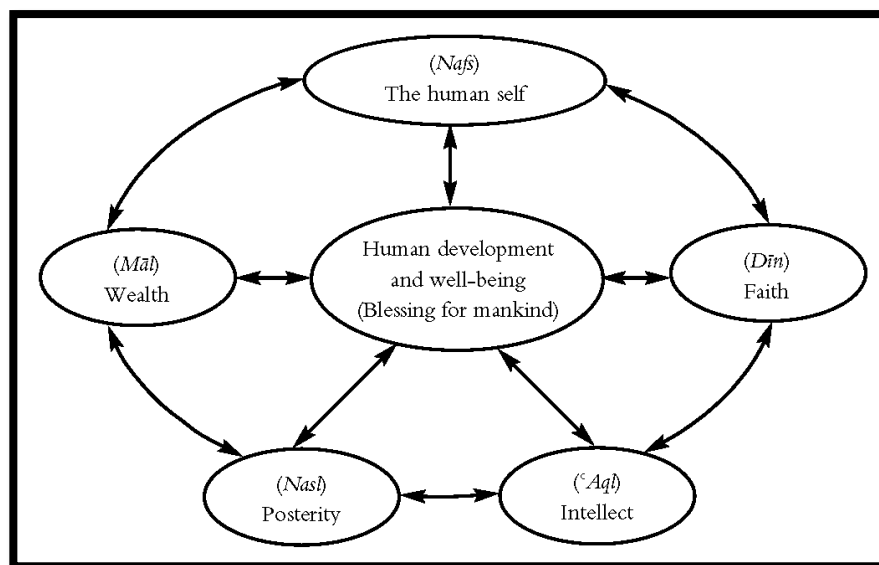
In the book of *al-Wajiz fi Ushulil Fiqh*, Zaydan (1992) states that *ad-dharuriyat al-khamsah* is a matter that can lead to stability of human life, which includes the protection of faith, life, intellectual, posterity and wealth. If this does not happen, there will be chaos and instability in society and humans will experience misery in this world and the hereafter.

According to Harahab (2016), one of the principles of Islamic Law as mentioned above is to realize the benefit for humankind, both from individual and social aspect, physical and spiritual, from world to hereafter. Generally, *maslahah* becomes the essence of maqasid al-Sharia. Maqasid al-Sharia is the condition that is required by syara' to realize the benefit for human life or to preserve the *maslahah* and the loss of *mafsadat*. Maqasid al-Sharia is the ultimate goal that must be realized with the application of the Sharia. The general purpose of Islamic law is further elaborated in several categories. First, the primary purpose (*al-dharuriyyat*), namely the purpose of Islamic law to guarantee human survival and primary needs. The primary objectives of Islamic law include the following:

- 1) Protection of faith (*hifdz al-din*). This is evident in the provisions of Islamic law governing the worship and obligation to do jihad to defend faith;
- 2) Protection of life (*hifdz al-nafs*). This objective is evident in the provisions of Islamic law in the field of criminal law (*fiqh jinayah*), such as the prohibition of unlawful murdering based on Quran 17:33 ;
- 3) Protection of intellectual (*hifdz al-'aql*). This is apparent in the provisions that prohibit people from consuming things that can be intoxicating, such as *khamr* based on Quran 5:90 ;
- 4) Protection of posterity and honor (*hifdz an-nasl wa al-'irdl*). This is reflected in the provisions governing of marriage and inheritance based on Quran 4:11, 4:23 and so forth.
- 5) Protection of wealth (*hifdz al-mal*). It is based on the principle that everything in heaven and on earth belongs to Allah and human has relative right only so

that in the right of people there is right of others such as the provision of zakat which is required to be excluded from certain property which will be given to the certain factions. The purpose of Islamic law is also seen in the provisions that prohibit people from taking the other's wealth in a false way, such as theft (Quran 5:38), robbery (Quran 5:33), deception (Quran 4:29) and so on.

Chapra (2008) has a vision with a focus on maqasid al-Sharia to provide a bright light on socio-economic development and shows how Imam Abu Hamid al-Ghazali (d.505AH/1111AC) classified maqasid al-Sharia into five main categories. Islam covers all aspects of human life, transcending wealth or economic growth. Human welfare is a very basic goal of Sharia. According to him, the five Sharia objectives are the same elements that form the basis of Islamic development in anticipation. He argues that the ultimate goal must continue to strive for achievement because there is always room for improvement, and to do so, the framework must also continue to be enriched and enhanced to serve the changing needs and environment of individuals, communities and humankind to achieve and sustain a better future. This is a comprehensive study related to the five main concepts of maqasid al-Sharia and human social development. Human development and well-being can be realized by ensuring the fulfillment of these five elements for each individual. All these universal aims must be able to interact to each other and closely interact in preserving each other, as shown in the picture below (Ngalim and Ismail, 2014):



Source: Chapra, 2008.

FIGURE 2.2.
Development of Humanity and Welfare Based on Maqasid al-Sharia

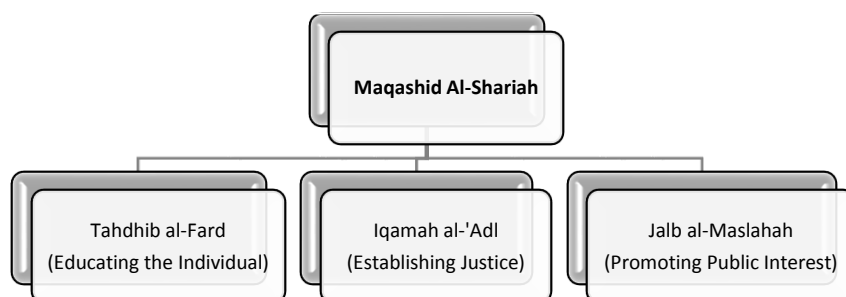
Although Chapra (2008) places the *nafs* or the human self as the first of the five universal goals discussed, it does not propose the human self as the most important of the five elements. From the way Chapra discussed it, it can be understood that human is one who will do all the actions for himself to achieve real prosperity or *falah*. This is because Allah appointed human as his *caliphate*² or his representative to rule or govern the earth as mentioned in the Quran.

Behold, thy Lord said to the angels, "I will create a caliphate on earth." They said, "Wilt Thou place therein one who will make mischief therein and shed blood? Whilst we do celebrate Thy praises and glorify Thy holy (name)?" He said, "I know what ye know not." (Quran Surah Al-Baqarah [02]:30)

² Caliphate means vicegerent Allah on earth or leader on earth.

Therefore, it is the first priority to prepare for human needs before anything else that will support human beings because it ensures a human quality that will ensure the quality of human works and how human manages other God's creations. To assist in achieving the realization of these five universal goals, Chapra (2008) proposes another needs to be met in each of these elements. However, aware of the interdependence of each other's needs, some of these needs naturally recur more than one element of purpose. Analyzing the needs under each element, the result not only being able to fulfill the Sharia objectives for the institution, more importantly it can also help to achievement of the universal goal through its function as one of the objectives of existing Sharia institutions (Ngalim and Ismail, 2014).

Ascarya and Sukmana (2014) delivered some classic literatures explaining maqasid al-Sharia. Ibn Ashur (1945/2006) argued that the ultimate goals of the Sharia are two: 1) to achieve prosperity (*jalb al-masalih*); and 2) to avoid evilness (*dar'a al-mafasid*). Abu Zahrah (1958) classified the Sharia objectives into 3 (three) categories: 1) educating the individual (*tahdhib al-fard*); 2) establish justice (*iqamah al-'adl*); and 3) achieve the welfare of humankind (*jalb al-maslahah*).



Source: Ascarya & Sukmana, 2014.

FIGURE 2.3.
Classification of Maqasid al-Sharia by Abu Zahrah

Abu Zahra in Shidiq (2011) formulates three purposes for the presence of Islamic law:

- 1) Fostering each individual to be a source of goodness for others, not a source of evil for others. To achieve it is through the worship that has been prescribed such as prayer, fasting, zakat and hajj. Through the prayer a believer will love the others and do not oppress the unjust and evil based on the Quran 29:45. Similarly, the same as it is in the zakat which has the teachings of help between the rich and the poor.
- 2) Upholding justice in society both fellow Muslims and non-Muslims based on Quran 5:8. The concept of justice in Islam according to Abu Zahra is to place human in the same position on the law based on Quran 49:13.
- 3) Realizing the benefit. This third goal is the ultimate goal inherent in Islamic law as a whole. Thus, no Sharia is based on the Quran and Hadith, except in that there is an ultimate *maslahah* and applies in generally.

Qureshi and Azid (2014) explain this generally explains the Sharia law designed to protect individuals and communities in facilitating the welfare improvement of human life in this world and the hereafter, called *falah* based on Quran 2:201. The concept of *falah* in Islam is very comprehensive, because it refers to the spiritual, moral and socio-economic welfare in this world and the hereafter.

Thus, the main purpose of Islamic teachings is to be a blessing for humanity. Allah SWT sent prophets in different regions at different times for the same purpose.

"And We sent thee not, but as mercy for the universe." (Quran Surah Al- Anbiya' [21]:107)

In order to realize this goal, the concept of *al-falah* or the real well-being of all people living on earth (regardless of race, color, age, gender and nation) is described in Islam. Islam maintains what makes a real contribution to human welfare (*jalb al-masalih*) and prohibits anything that causes harm to human welfare. *Al-falah* is a very important concept in Islam mentioned 40 times in the Quran, *fawz* (happiness in this world and in the hereafter), which has been mentioned 29 times. The concept of *al-falah*³ is also mentioned in *adhan* five times a day by *mu'adhdhin*. *Al-falah* (prosperity for the happiness of life in this world and the hereafter) can only be achieved by fulfilling the five essential elements of maqasid al-Sharia, ie safeguarding the faith (*din*), human life (*nafs*), intelligence (*'aql*), descendants (*nasl*) and wealth (*mal*). Based on the Quran the happiness in the world is temporary while the happiness and prosperity of the hereafter is eternal (Nizam and Larbani, 2014).

³ *Al-falah* means glory, victory and prosperity for humankind and the whole universe.

B. Previous Research

TABLE 2.3.
Previous Researches About Zakat

No	Previous Research		Present Research
	Research Title	Substance Research	
1	<p>Contextualization of Total Quality Management in Zakat Management Institutions for Community Economic Empowerment (Principles and Practices)</p> <p>Researcher: N. Oneng Nurul Bariyah Year: 2010 Type of research: Dissertation</p>	<p>There are three main issues studied in this dissertation, as follows: a. How is the implementation of TQM (Total Quality Management) at zakat management institution? b. What are the similarities and differences of TQM of Zakat Management Institution with TQM on profit institution? c. How is the performance of Zakat Management Institution in Community Economic Empowerment?</p> <p>Based on the research, it can be concluded that:</p> <p>a. Zakat management institution have implemented quality management (TQM) in their operations as an effort to empower the community's economy.</p> <p>b. The difference of TQM of Zakat Management Institution with TQM in profit institution is that TQM zakat management institution is not oriented to the improvement of competitiveness but merely provides the best benefit for ummah above the institution's interest,</p>	<p>The research is more emphasized on the management of zakat studied from the management science, ie the aspect of quality management (ISO). While the author's research more emphasis on the study of zakat and maqasid al-Sharia.</p>

		<p>whereas TQM in profit institution is more aimed to give the consumer satisfaction which has implication on the performance company only.</p> <p>c. Zakat management institution have conducted community economic empowerment programs through various programs run.</p>	
2	<p>Study on the Implementation of Zakat Profession at the Regional Amil Zakat Board (BAZDA) in Province Daerah Istimewa Yogyakarta</p> <p>Researcher: Nurul Qomariyah Year: 2010 Type of research: Master Thesis</p>	<p>There are two problem formulation in this research, that is:</p> <p>a. How is the implementation of zakat profession in Regional Amil Zakat Board (BAZDA) in Province Daerah Istimewa Yogyakarta?</p> <p>b. How to determine the level, nisab and haul of zakat profession in Regional Amil Zakat Board (BAZDA) in Province Daerah Istimewa Yogyakarta?</p> <p>Based on the research he has done conclusion:</p> <p>a. Implementation of zakat profession which has been done in Regional Amil Zakat Board (BAZDA) in Province Daerah Istimewa Yogyakarta is by way of deduction of salary done by treasurer at existing institutions in level 1 Province of Daerah Istimewa Yogyakarta directly on every month, but in reality execution</p>	<p>Previous research has focused on one particular kind of zakat, namely zakat profession and implementation of zakat in the province of Daerah Istimewa Yogyakarta, while the author's research although also take place in Yogyakarta but its scope is wider because it does not restrict to certain type of zakat. The substance of the author's research is also different from previous research because author focuses more on zakat and maqasid al-Sharia.</p>

		<p>zakat profession itself has not run well, due to lack of socialization.</p> <p>b. Determination of the level of zakat profession in Regional Amil Zakat Board (BAZDA) in Province Daerah Istimewa Yogyakarta is 2.5% <i>qiyas</i> on zakat gold or money. While nisab and haul <i>qiyas</i> on zakat agriculture, nisab amounted to 653 kg, because <i>qiyas</i> on zakat agriculture then do not recognize the existence of haul.</p>	
3	<p>Zakat in the Modern Economy</p> <p>Researcher: Didin Hafidhuddin</p> <p>Year: 2004</p> <p>Type of research: Dissertation</p>	<p>This dissertation examines the sources of zakat in the modern economy. Based on the research that has been done, it is concluded that in determining the source or object of zakat or property that must be issued zakat, Quran and Hadith use two approach method, that is <i>tafsil</i> approach (decomposition) and <i>ijmal</i> approach (global). With the <i>tafsil</i> approach, the Quran and Hadith of the prophet explain in detail some of the types of zakat that should be zakat, namely agriculture, livestock, gold and silver, trade, mining products and treasures. As for <i>Ijmal</i> (global) approach is reflected by the way of "treasure" and "business profit" as described in</p>	<p>The focus of the research is to examine the sources of zakat in the modern economy based on the arguments of the Quran, Hadith and author's ijtihad. With a logical argument, the author concludes that in present modern economy many types of property can be imposed on zakat, such as honey, shares and so on. While this writer's research emphasizes the zakat aspect related to maqasid al-Sharia.</p>

		<p>QS. At-Taubah: 103 and QS. Al-Baqarah: 267, so by using <i>qiyas</i>, <i>masalihul-mursalah</i> and general principles of Islamic teachings, it is possible to include all the property which in the time of the Prophet SAW has not yet exemplified, but considered "valuable property" in the development of modern economy, so must be zakat.</p>	
4	<p>Compliance Against Zakat Rules In the Management and Payment of Zakat in Daerah Istimewa Yogyakarta</p> <p>Researcher: Yulkarnain Harahab Year: 2016 Type of Research: Dissertation</p>	<p>There are three main issues studied in this dissertation:</p> <p>a. What principles are there in the zakat regulations in Indonesia?</p> <p>b. How does obedience to zakat regulations in the management and payment of zakat in Daerah Istimewa Yogyakarta?</p> <p>c. What efforts should be taken to improve compliance with the zakat regulation?</p> <p>Based on the research that has been done, obtained the following conclusions:</p> <p>a. Zakat is one of the obligations in Islam that originally exist in the realm of fiqh but then regulated in a legislation, namely Law No. 38 of Year 1999 which was then replaced with Law No. 23 of 2011 regarding Zakat Management. Principles that can be</p>	<p>The research recommends to optimize the management of zakat in the future, especially concerning the increase of zakat collection through institutions (<i>'amil</i>), the current Zakat Management Law needs to be improved. To increase the awareness of the society (Muslims) in paying zakat through institutions or <i>'amil</i> (BAZNAS or LAZ), massive education and socialization of zakat need to be done to society. To increase the efficiency and yield of zakat in order to realize the welfare of the community, more intensive coordination among the existing zakat management organizations</p>

	<p>withdrawn from the zakat regulation is the principle of <i>maslahah</i> and the principle of justice.</p> <p>b. The practice of zakat management by National Board of Zakat (BAZNAS) and Amil Zakat Institution (LAZ) in Daerah Istimewa Yogyakarta has followed/obeyed the provisions in Zakat Regulation so that zakat regulation is effective from zakat management aspect by zakat management institution; but on the other hand, Zakat Regulation has not been effective in encouraging Muslims who are respondents of this research to pay zakat National Board of Zakat (BAZNAS) or Amil Zakat Institution (LAZ).</p> <p>c. In order to improve compliance with future zakat regulations, especially regarding the adherence of zakat payments by Muslims to BAZNAS/LAZ, two things need to be done. First, the refinement of the substance of zakat regulations that already exist today. Second, zakat education and socialization of zakat regulations intensively to Muslims. It is very important to optimize the role of zakat as a means to improve the welfare and</p>	<p>(BAZNAS and LAZ) is required. While the author's research on the relationship of zakat and maqasid al-Sharia.</p>
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		poverty reduction of the community.	
5	<p>Analysis of the Effect of Productive Zakat on Welfare With Micro Business Development As Intervening Variable (Case Study At National Board of Zakat in Daerah Istimewa Yogyakarta)</p> <p>Researcher: Muh. Amri Cahyadi Year: 2016 Type of Research: Master Thesis</p>	<p>There are three issues in the study, as follows:</p> <p>a. Does productive zakat affect micro business development?</p> <p>b. Does the development of micro business affect the welfare?</p> <p>c. Does productive zakat affect welfare?</p> <p>d. Does productive zakat affect welfare through micro business development?</p> <p>Based on the research that has been done, obtained the following conclusions:</p> <p>a. Productive zakat has a significant positive effect on the growth of micro business community. This means that the amount of funds disbursed as business capital can increase profit of mustahiq business.</p> <p>b. The development of micro business community have positive significant effect on welfare. This means that with the growth of profit it will impact the level of prosperity mustahiq.</p> <p>c. Productive zakat have a positive significant effect on welfare. This means that productive zakat in the form of business capital can affect the level of prosperity mustahiq.</p> <p>d. The effect of productive zakat on the</p>	<p>The study is based on the results of data processing and using software tools SmartPLS 2.0 M3 regarding the effect of productive zakat on prosperity with the development of micro enterprises as intervening variables. While this author's research on the relationship of zakat and maqasid al-Sharia.</p>

		welfare of mustahiq is intervened or fully mediated by the development of micro business. This means that business capital can be used to development of mustahiq business, so it will give impact the mustahiq's own welfare.	
6	<p>Evaluation of Fund Disbursement of Zakat, Infaq and Shadaqah (ZIS) At Lazis in Yogyakarta City</p> <p>Researcher: Randy Rinaldi Year: 2015 Type of Research: Undergraduate Thesis</p>	<p>Issue in the study is: Are ZIS funds collected already distributed in accordance with the provisions of Islam?</p> <p>It can be concluded that the amil zakat, infaq and shadaqah institution (LAZIS) which are samples of this research in terms of distribution are in accordance with what is taught by Islam through Quran and Hadith. Prioritize the poor and the needy in the fields of education, economy and health. For asnaf Ibn Sabil and Gharimin there is no specific program but for asnaf it depends on the submission or request. There is one asnaf that is abolished because it is adapted to the times, such as Riqab which is a fund used to help liberate slaves, while for the people in Yogyakarta, especially in the city of Yogyakarta which is the priority of this research is no longer slave.</p>	<p>The research is to find out the system of channeling of zakat, infaq and shadaqah (ZIS) fund by Amil Zakat, Infaq and Shadaqah Institution (LAZIS) in Yogyakarta city in accordance with Islamic teachings. The substance of the author's research is also different from previous research because author focuses more on zakat and maqasid al-Sharia.</p>
7	Financial Performance Efficiency Analysis	There are two issues in the research:	The research was to determine the level of efficiency of financial

	<p>of Regional Amil Zakat Board (BAZDA) of East Lombok Regency Period 2012-2014: Data Envelopment Analysis (DEA)</p>	<p>a. How much is the financial performance efficiency of the Regional Amil Zakat Board (BAZDA) of East Lombok Regency in the period 2012-2014?</p>	<p>performance of Regional Amil Zakat Board (BAZDA) of East Lombok Regency in the period 2012-2014. Knowing the factors that cause efficiency or not the</p>
	<p>Researcher: Alfi Lestari Year: 2015 Type of Research: Undergraduate Thesis</p>	<p>b. What are the factors that cause the efficiency of the financial performance of Regional Amil Zakat Board (BAZDA) of East Lombok Regency in the period 2012-2014? Based on the research that has been done, it can be concluded that based on the analysis of the efficiency level of the Regional Amil Zakat Board (BAZDA) of East Lombok Regency by using <i>Data Development Analysis</i> (DEA) period 2012-2014 with intermediation approach in determining input and output variables BAZDA East Lombok Regency succeed to reach the level of efficiency in the period 2012 and 2014 is 100 percent or equal to 1. Inefficiency BAZDA East Lombok Regency only occurred in 2013.</p>	<p>Financial Performance of Regional Amil Zakat Board (BAZDA) of East Lombok Regency in the period 2012-2014. While the author's research more emphasis on the relationship of zakat and maqasid al-Sharia.</p>

Based on the above explanation, the principal issue studied in this thesis is different from previous studies. The research conducted by the author focuses on the evaluate of zakat distribution programs in BAZNAS Daerah Istimewa Yogyakarta using maqasid al-Sharia approach, as well as efforts that need to be done to improve the implementation of zakat program in accordance with the maqasid al-Sharia approach in the future. Thus, the research to be carried out the author is original.

C. Hypothesis

Based on the background explanation and the theoretical basis can be concluded that while the management and distribution of zakat done correctly, trustworthy and supported by professional management and the presence of Sharia supervisory board will give good impact in terms of effectiveness of the collection and distribution of zakat funds, poverty alleviation as well as for the welfare of society.